

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/695,140

REMARKS

In this Amendment, Claims 12, 13 and 16 have been amended to replace “which is composed of” with --consisting essentially of--.

Claims 22-24 have been added as new claims. Claims 22-24 are supported by the specification at, for example, page 9, lines 31-32.

No new matter has been added and thus, entry of the Amendment is respectfully submitted to be proper. Upon entry of the Amendment, Claims 12-24 will be all the claims pending in the application.

On page 2 of the Office Action, Claims 12, 13, 15, 16 and 18 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly obvious over the U.S. Patent Application Publication No. 2002/0091188 A1 to Statz *et al.*

Applicants respectfully submit that Claims 12, 13, 15, 16 and 18 as amended are not anticipated or rendered obvious over Statz *et al.* While not admitting that this rejection is appropriate, in this Amendment, Applicants have amended Claims 12, 13 and 16 to further define the golf ball material, by replacing “which is composed of” with --consisting essentially of--.

Statz *et al* discloses a golf ball material comprising a thermoplastic elastomer that as recited in Claim 8 is either copolyetheramids, copolyetheresters, elastomeric polyolefins, block polystyrene polydiene copolymers or thermoplastic urethanes, as an essential component.

Further, in all the examples in TABLE 13A of Statz *et al*, the component (e) (filler) was used in more than 10 parts by weight based on the base resin, which is the upper limit for

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component (C) of the present invention. *See*, page 9 of the specification, lines 31-32.

Accordingly, the effects or the functions of the golf balls influenced by the component (e) of Statz et al would differ from that of the component (C) of the present invention.

In view of the foregoing, withdrawal of the rejection is requested.

On page 2 of the Office Action, Claims 12-15 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly obvious over U.S. Patent No. 6,100,321 to Chen. The same claims have also been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen in view of the '188 Publication.

Applicants respectfully submit that Claims 12-15 as amended are not anticipated or rendered *prima facie* obvious by Chen, alone or in view of Statz et al.

Chen discloses a golf ball material comprising (i) specific ionomeric polymer and (ii) a metal stearate, the metal selected from the group consisting of calcium, sodium, zinc, lithium, magnesium and barium or a mixture of said metal stearates.

Applicants respectfully submit that the metal stearate of Chen is not an inorganic metal compound, such as magnesium oxide, magnesium hydroxide, magnesium carbonate, zinc oxide, sodium hydroxide, sodium carbonate, calcium oxide, calcium hydroxide, lithium hydroxide and lithium carbonate.

Further, the amount of the filler taught by Chen would be much higher than 10 parts (about 20 parts). *See*, the Examples of Chen (in Table 4, zinc oxide was used in an amount of 18 parts).

Accordingly, withdrawal of this rejection is requested.

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On page 3 of the Office Action, Claims 13 and 15 have been provisionally rejected on obvious-type double patenting grounds as being unpatentable over the claims of co-pending applications Serial Nos. 09/906,638 and 09/906,844, and Claims 12-18 have been provisionally rejected on the same grounds over the claims of co-pending application Serial No. 09/994,729.

In response, Applicants have herewith filed a Terminal Disclaimer. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the provisional rejections.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE



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PATENT TRADEMARK OFFICE

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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

12. (Thrice Amended) A one-piece golf ball made from a golf ball material comprising a heated mixture having a melt index of at least 1.0 dg/min, ~~which is composed of~~ consisting essentially of:

(A) 100 parts by weight of a base resin comprising a mixture of

(A1) an olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer, or both of an olefin-unsaturated carboxylic acid random copolymer and an olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer, and

(A2) a metal ion-neutralized olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer, or both of a metal ion-neutralized olefin-unsaturated carboxylic acid random copolymer and a metal ion-neutralized olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer;

(B) 5 to 80 parts by weight of a fatty acid or fatty acid derivative having a molecular weight of at least 280; and

(C) 0.1 to 10 parts by weight of a basic inorganic metal compound capable of neutralizing acidic groups in components A and B.

13. (Thrice Amended) A solid golf ball comprising a solid core of at least one layer and a cover of at least one layer enclosing the solid core, wherein at least one layer of the solid

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core or the cover is made of a golf ball material comprising a heated mixture having a melt index of at least 1.0 dg/min, ~~which is composed of~~ consisting essentially of:

(A) 100 parts by weight of a base resin comprising a mixture of

(Al) an olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer, or both of an olefin-unsaturated carboxylic acid random copolymer and an olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer, and

(A2) a metal ion-neutralized olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer, or both of a metal ion-neutralized olefin-unsaturated carboxylic acid random copolymer and a metal ion-neutralized olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer;

(B) 5 to 80 parts by weight of a fatty acid or fatty acid derivative having a molecular weight of at least 280; and

(C) 0.1 to 10 parts by weight of a basic inorganic metal compound capable of neutralizing acidic groups in components A and B.

16. (Thrice Amended) A thread-wound golf ball comprising:

a thread-wound core composed of a solid center of at least one layer or a liquid center made of a liquid-filled center envelope, about which solid or liquid center has been wound a rubber thread, and

a cover of at least one layer which encloses the thread-wound core;

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wherein the solid center or at least one layer of the cover is made of a golf ball material comprising a heated mixture having a melt index of at least 1.0 dg/min, ~~which is composed of~~ consisting essentially of:

- (A) 100 parts by weight of a base resin comprising a mixture of
 - (A1) an olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer, or both of an olefin-unsaturated carboxylic acid random copolymer and an olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer, and
 - (A2) a metal ion-neutralized olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer, or both of a metal ion-neutralized olefin-unsaturated carboxylic acid random copolymer and a metal ion-neutralized olefin-unsaturated carboxylic acid-unsaturated carboxylate random copolymer;
- (B) 5 to 80 parts by weight of a fatty acid or fatty acid derivative having a molecular weight of at least 280; and
- (C) 0.1 to 10 parts by weight of a basic inorganic metal compound capable of neutralizing acidic groups in components A and B.

Claims 19-24 are added as new claims.